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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,363	07/15/2003	Long-Jyh Pan	ACMP0115USA	1362
27765	7590	03/20/2006	EXAMINER	
NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			PHAM, TUAN	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 03/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/604,363		PAN, LONG-JYH	
	<b>Examiner</b>		<b>Art Unit</b>	
	TUAN A. PHAM		2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7, 9-16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wycherley et al. (U.S. Patent No.: 2002/0037738, hereinafter, "Wycherley") in view of McDonald et al. (U.S. Patent No.: 5,534,849, hereinafter, "McDonald").

Regarding claims 1 and 10, Wycherley teaches a method and a portable communications device comprising (see figure 2):

a cover comprising memory chip patch disposed on the cover (see figure 1, memory chip patch 20, col.2, [0016]) for identifying the cover (see col.3, [0035]); and

a transceiver module (read on controller/processor), the cover being detachably installed on the transceiver module comprising (see col.2, [0018]):

a magnetic sensor for detect the memory chip patch and generating a corresponding output signal (see figure 1, sensor 22, col.2, [0016-0018, 0035]); and

a control circuit for receiving the output signal from the magnetic sensor and determining an identification of the cover based on the received output signal (see figure 1, sensor 22, col.2, [0016-0018, 0035]).

It should be noticed that Wycherley discloses the invention but does not disclose the magnetic media for emitting a magnetic flux. However, in an analogous art, McDonald teaches such feature (see figures 1A, magnets 15a-15c is generated the magnet flux, col.5, ln.1-17).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of McDonald into view of Wycherley in order to improve in magnetically actuated device for sensing an unauthorized breach of physical barriers as suggested by McDonald at column 1, lines 10-16.

**Regarding claims 2 and 11**, Wycherley further teaches a database stored in a memory for storing Man-Machine Interface (MMI) attributes corresponding to the identification of the cover (see col.3, [0040], it is obvious that the mobile phone of Wycherley should be included a memory to store the software for detecting the new cover when installing on the mobile phone).

**Regarding claims 3 and 12**, after combination of Wycherley and McDonald that will teaches the claim invention. Wycherley teaches the mobile phone comprises a front cover and rear cover and the memory chip patch is disposed on an inner side of the front cover (see figures 1&2, col.2, [0016-0018]). McDonald further teaches magnetic (see figure 1A, magnetic 15a-15c).

**Regarding claims 4 and 13**, Wycherley further teaches the magnetic sensor is disposed on a printed circuit board (PCB) of the transceiver module (see figure 2, sensor 22 is on the PCB of mobile).

**Regarding claims 5 and 14**, McDonald further teaches the output signal generated by the sensor is an analog output voltage (see col.4, ln.67, col.5, ln.1-10).

**Regarding claims 6 and 15**, McDonald further teaches the magnetic sensor is a linear Hall effect sensor and the analog output voltage is directly proportional to the measured magnetic flux (see col.4, ln.67, col.5, ln.1-19, col.8, ln.7-9).

**Regarding claims 7 and 16**, McDonald further teaches magnet (see figure 1A, magnetic 15a-15c).

**Regarding claims 9 and 18**, Wycherley further teaches mobile phone (see figure 2).

3. **Claims 8 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wycherley et al. (U.S. Patent No.: 2002/0037738, hereinafter, "Wycherley") in view of McDonald et al. (U.S. Patent No.: 5,534,849, hereinafter, "McDonald") as applied to claims 1 and 10 above, and further in view of Ono et al. (Pub. No.: US 2003/0002691, hereinafter, "Ono").**

**Regarding claims 8 and 17**, Wycherley and McDonald, in combination, fails to disclose magnetic powder. However, in an analogous art, Ono teaches such features (see col.7, claim 17).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Ono into view of Wycherley and McDonald in order to improve in magnetically actuated device for sensing an

unauthorized breach of physical barriers as suggested by McDonald at column 1, lines 10-16.

### **Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In order to expedite the prosecution of this application, the applicants are also requested to consider the following references. Although Forster et al. (U.S. Patent No. 6,646,555), Holshouser et al. (U.S. Patent No. 6,151,486), Nielsen (U.S. Pub. No. 2005/0090280), and White et al. (U.S. Pub. No. 2006/0030377) are not applied into this Office Action; they are also called to Applicants attention. They may be used in future Office Action(s).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A. Pham whose telephone number is (571) 272-8097. The examiner can normally be reached on Monday through Friday, 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.


For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have question on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit 2618  
March 15, 2006  
Examiner

Tuan Pham



Matthew Anderson  
SPE 2618